

Cypress Home Owners Association
Board of Directors Meeting Minutes
REVISED
January 29, 2009

1 Upon due notice, given and received, the Cypress Home Owners Association
2 Board of Directors held their regularly scheduled Board of Directors Meeting
3 on Thursday, January 29, 2009 at Clubhouse #2, Cypress, California. The
4 Board President Donald Moreau called the meeting to order at 7:22 p.m. with a
5 quorum of Directors present.

6

7 **Directors Present**

8 Donald Moreau, President
9 Katie Bryson, Vice President
10 Brenan Cheung, Treasurer
11 Betsy-Ann Toffler, Secretary
12 Judith Fischer, Director at Large

13

14 **Directors Absent**

15 None

16

17 **Also Attending**

18 Ramona Acosta, Accell Property Management, Inc.
19 Silvia Gutierrez, Accell Property Management, Inc.
20 David Cane, Cane, Walker, & Harkins LLP
21 Robert Kaplinsky, Inspector of Election
22 Anthony Hernandez, Artistic Maintenance
23 Approximately Ten (10) Homeowners

24

25 **Executive Session Meeting Topics**

26 In accordance with California Civil Code Section 1363.05, the Board notes that
27 the following topics were discussed during an Executive Session Meeting held
28 on January 29, 2009:

29

- 30 1. Approval of Executive Session Meetings Minutes of
31 November 24, 2008

- 32 2. Statements of Account Preliminary to Levying of Liens
- 33 3. Legal correspondence submitted by The Judge Law Firm
- 34 4. Approval of a Payment Plan Agreement
- 35 5. Approval of a Resolution to Foreclose against account
- 36 #114699 and #114746.
- 37 6. Homeowner correspondence regarding fee waivers
- 38 7. Renewal of Retainer Fee Agreement submitted by Cane,
- 39 Walker and Harkins, LLP

40
41 The foregoing resolution is executed pursuant by the general consent of the
42 Board of Directors.

43
44 **Annual Meeting Election Recount**

45 David Cane, of Cane, Walker & Harkins, LLP made an announcement to the
46 Homeowners present that a recount of the Annual Meeting Election was being
47 performed by Robert Kaplinsky, Inspector of Election, and was to take place
48 simultaneously with the Board of Directors Meeting. The results of the vote
49 recount were as follows: Katie Bryson 106, Donald Moreau 78, Judith Fischer
50 73, Betsy-Ann Toffler 71, Brenan Cheung 65, Karen Hesky 62, David Chu 61,
51 Pam Morris 61, John Russell 58, Becky Fisher 58, Robin Barrett 1, John Fisher 1.

Election Recount

52
53 **Homeowner Open Forum**

54 The following issues and topics were discussed during the Homeowner Open
55 Forum: Roofing, painting, unlicensed contractors, landscaping and
56 earthquake insurance. Management was instructed to request that a
57 representative from the Association's earthquake insurance carrier be present
58 at the February 2009 Meeting to give a brief presentation and hold a
59 question/answer session with homeowner present.

Open Forum

60
61 **Minutes**

62 The Board of Directors reviewed the Minutes from the November 24, 2008
63 Board of Directors Meeting. Following review, a motion was made by Betsy-
64 Ann Toffler and seconded by Don Moreau to approve the November 24, 2008
65 Board of Directors Meeting Minutes as presented. The motion carried
66 unanimously.

Minutes

67 **Board Actions**

68 The Board of Directors reviewed the Lien Authorization Consent Calendar
69 for the following accounts: #114690, #114653, #114557, #114592, #114782,
70 #114600, #114744, #114617, #114733, #114791 and #114686. Following review
71 and discussion, a motion was made by Don Moreau and seconded by Katie
72 Bryson to approve the Consent Calendar for accounts: #114653, #114557,
73 #114592 and #114600, #114791 and #114686. The motion passed
74 unanimously.

75
76 The Board of Directors reviewed the Resolutions of the Board of Directors
77 For the approval of Aquatic Balance VGBA Proposals for drain compliance
78 at pools #1 and #2. After review, a motion was made by Don Moreau and
79 seconded by Betsy-Ann Toffler to ratify the action taken and approve the
80 Resolution of the Board of Directors for the approval of Aquatic Balance
81 VGBA proposals for drain compliance at pools #1 and #2. The motion passed
82 (3)-(0) with Brenan Cheung and Katie Bryson abstaining.

83
84 The Board reviewed a proposal submitted by Artistic Maintenance for the
85 installation of six (6) one (1) gallon Coprosmas at a total cost of \$37.50. After
86 review, a motion was made by Don Moreau and seconded by Katie Bryson to
87 approve the proposal submitted by Artistic Maintenance for the installation
88 of six (6) one (1) gallon Coprosmas at a cost of \$37.50. The motion passed
89 unanimously.

90
91 The Board of Directors reviewed a proposal submitted by Artistic
92 Maintenance for the installation of various plants throughout the community
93 for a total cost of \$403.50. After discussion, a motion was made by Don
94 Moreau and seconded by Betsy-Ann Toffler to approve the proposal
95 submitted by Artistic Maintenance for the installation of various plants
96 throughout the community for a total cost of \$403.50. The motion passed
97 unanimously.

98
99 The Board of Directors reviewed a proposal submitted by Artistic
100 Maintenance for the removal of various plants throughout the community for
101 a total cost of \$522.50. After discussion, a motion was made by Don Moreau

102 and seconded by Betsy-Ann Toffler to approve the proposal submitted by
103 Artistic Maintenance for the removal of various plants throughout the
104 community for a total cost of \$522.50. The motion passed unanimously.

105

106 The Board of Directors reviewed a proposal submitted by Arena Painting,
107 Inc., for the painting and repair of sections of the pool wrought iron fence.
108 After discussion, it was the general unanimous consent of the Board of
109 Directors to table this item so that additional bids can be obtained.

110

111 The Board of Directors reviewed a change order submitted by Collins
112 Builders for corrosion damage repairs to the railing at pool #2, in the amount
113 of \$380.00. After discussion, a motion was made by Don Moreau and
114 seconded by Katie Bryson to approve the change order submitted by Collins
115 Builders for corrosion damage repairs to the railing at pool #2 in the amount
116 of \$380.00. The motion passed unanimously.

117

118 The Board of Directors reviewed a proposal submitted by Alan Smith Pools
119 for Re-Plastering and VGBA Drain Compliance at pool #3 for a total of
120 \$9,212.00. After discussion, a motion was made by Don Moreau and seconded
121 by Katie Bryson to approve the proposal submitted by Alan Smith Pools for
122 Re-Plastering and VGBA Drain Compliance at pool #3 with changes, for a
123 total cost of \$8,457.00. The motion passed unanimously.

124

125 The Board of Directors reviewed the proposal submitted by CCS Roofing for
126 the re-roofing project at the community. After review, the Board of Directors
127 tabled this item so that additional proposals can be obtained.

128

129 The Board of Directors reviewed the playground inspection proposal
130 submitted by Playground Safety Analysts for the inspection of all
131 playgrounds at the community for a total cost of \$1,375.00. After review, it
132 was the general unanimous consent of the Board of Directors to deny this
133 proposal.

Wrought Iron
Repairs

Collins Builders

Pool #3

Roofing

Playground
Inspection

134 The Board of Directors reviewed playground removal proposals for
135 playground #1 submitted by Miracle Playground at a cost of \$5,250.00 and
136 Emercon Construction at cost of \$3,621.09. This item was tabled by the
137 general consent of the Board of Directors so that information can be obtained
138 about changes in insurance premiums should the playground be removed.

Playground de

140 The Board of Directors discussed power washing the trash enclosures
141 throughout the community. This item was tabled until February 2009 by the
142 general consent of the Board of Directors.

Power washin;

143
144 **Financials**

145 The Board of Directors reviewed correspondence from Accell Property
146 Management regarding the Merrill Lynch Account Bank Transaction
147 Resolution. After discussion, it was the unanimous consent of the Board of
148 Directors to obtain a recommendation from Merrill Lynch to ladder the
149 Association's CDs.

Merrill Lynch

150
151 The Board of Directors reviewed the financial statements for the periods
152 ending November 30, 2008 and December 31, 2008. After review, a motion
153 was made by Don Moreau and seconded by Katie Bryson to approve the
154 financial statements for the periods ending November 30, 2008 and December
155 31, 2008 subject to audit. The motion passed (4)-(0) with Brenan Cheung
156 abstaining.

Financials

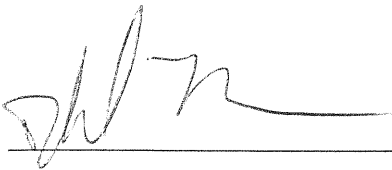
157
158 **Adjournment**

159 There being no further business to come before the Board, it was the general
160 consent of the Board of Directors to adjourn the meeting at 9:20 p.m.


Adjournment

161
162 **Attest**

163
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168



President



Secretary